IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 15598 of 2007(F)

PETITIONER:

VIMALAMMA POULOSE, AGED 55 YEARS,
W/O.CHARLES, (RETIRED HEADMISTRESS),
L.P.SCHOOL, THACHAPPALLY, VENMANI)
KOYIKKALATH HOUSE, P.O.ELANJIMEL,
CHENGANNUR TALUK.

BY ADV. SRI.ESM.KABEER

RESPONDENTS:
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1. STATE OF KERALA, REPTD. BY SECRETARY
TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT,
THIRUVANANTHAPURAM.

2. THE DISTRICT EDUCATIONAL OFFICER,
MAVELIKKARA.

3. THE ASSISTANT EDUCATIONAL OFFICER,
CHENGANNUR.

4. THE ACCOUNTANT GENERAL (A & E),
KERALA, THIRUVANANTHAPURAM.

BY GOVT.PLEADER SMT.LAKSHMI RANI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No. 15598 of 2007

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Dated this the 11th day of June, 2007.

J U D G M E N T

The short question that arises for consideration in this writ petition which is at the instance of a retired Headmistress in an aided Lower primary School is whether the Government was justified in refusing to grant higher grade to her reckoning the period of previous service rendered by her in another aided school. The Government took the view that she was not entitled to get the benefit since the break in service had exceeded 30 days. It was noticed that there was a break of 35 days. In other words, the period exceeded by 5 days. Petitioner has produced Ext.P4 to Ext.P6 in support of her contention that the stand taken by the Government is not legal or justifiable. Anyhow I do not propose to deal with the above contention at this stage in view of the limited prayer made by the learned counsel for the petitioner at the Bar. He submits that the petitioner has preferred Ext.P8 Review Petition before the Government highlighting all the relevant aspects of the issue. The limited prayer is to issue an appropriate direction to respondent No.1 to take a decision on Ext.P8 expeditiously.

2. Learned Government Pleader submits that if Ext.P8 has been preferred by the petitioner as contended by her, an appropriate decision thereon will be taken without any delay.

3. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P8 strictly on its merit and accordance with law, as expeditiously as possible, at any rate within 4 months from the date

of receipt of a copy of this judgment. Needless to mention that the petitioner shall be afforded sufficient opportunity to be heard before any decision is taken in the matter.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. Basheer
Judge.

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